

Cefalo, James

From: Conder, Claudia [Claudia.Conder@PacifiCorp.com]
Sent: Thursday, December 01, 2011 4:03 PM
To: Cefalo, James
Subject: Transfers 74659 & 74658 Brad Smith & Charles Barlow

Categories: ASAP

Hi James. I've spent another chunk of time reviewing these two transfers. I have actually gone out on site with one of our employees that lives in the area and is familiar with the ground. That was most helpful. That's an interesting area that I was not familiar with at all.

While I'm generally OK with this in concept, there are still some outstanding issues that I see and please correct me if I'm missing something..

Transfer 74658 (13-681A)

The decreed right 13-681 was split into A and B- 681B went to Wheeler Family Trust.

13-681 authorized irrigation of 150 acres.

13-681B according to your database shows that this right is limited to 55 acres. That means that there are 95 acres left under the original decreed right. Do you agree?

This transfer is asking to irrigate 142 acres.

Transfer 74659 (13-679)

The decreed right authorized 80 acres of irrigation.

The transfer asks for the same number of acres but within an area of 200 acres. After being in the area and seeing what is irrigated by this water, it seems to me that the 80 acres could be narrowed down to that exact acreage in an exact location.

(I have to say that the maps provided in the applications were not very good quality maps and caused me more confusion than clarity....)

Also of interest, Brad Smith has SOLD the property that he is seeking to irrigate with water right number 13-681A. When I visited the area earlier this week, there were several large pieces of equipment clearing a very large portion of this property. It would be useful to know what the new owner is intending to irrigate. Again, this is the right that has only 95 irrigable acres available under the original decree.

Conclusion:

The number of acres available for irrigation under 13-681A (transfer #74568) needs to be resolved.

The 80 acres authorized under 13-679 and part of transfer #74569 should be defined and not be allowed to cover a 200 acre area.

The ownership of the Brad Smith property should be resolved and an understanding of what is happening on this parcel and how much will be irrigated (but limited to 95 acres)

Please let me know if you agree or if you can clarify anything that I may have misrepresented.

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